

1. (Once amended) A format for a linked report electronically transmittable to a terminal, the report format comprising a text section, and an endnote section, the endnote section being independent of the text section and including information for linking portions of text contained in the text section to predetermined link information, without altering the text section.

12. (Once amended) A method for creating a linked report which is electronically transmittable through a terminal comprising the steps of:

- creating the text for a report;
- retrieving link information to be displayed along with the text in association with a predetermined portion of the text;
- creating an independent endnote containing information linking said predetermined text portion and link information; and
- attaching the endnote to the report after the text, without altering the text.

17. (Once amended) The method of claim 12, further comprising the step of providing an end of text marker after the text and attaching the endnote to the report after the end of text marker.

REMARKS

Administrative Overview

Claims 1-37 were presented for examination. The present Office Action, mailed on October 3, 2002, rejected claims 12-18 under 35 U.S.C. § 112, ¶ 2, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. Claims 1 and 12 were rejected under 35 U.S.C. § 102(a) as being anticipated by U.S. Patent No. 5,870,767 to Kraft, IV ("Kraft"). Claims 2, 16, and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kraft. Claims 7, 11, 15, 17-18, and 20-25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kraft in further view of U.S. Patent No. 6,199,071 B1 to Nielsen ("Nielsen"). Claim 26 was rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,208,974 B1 to Campbell et al. ("Campbell"). Claims 35-37

were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kraft in view of Campbell. Claims 3-6, 8-10, 13-14, and 27-34 were objected to as being dependent upon a rejected base claim. Additional references were cited as pertinent to Applicants' disclosure.

Additionally, the draftsman objected to the drawings as containing certain informalities.

In light of the preceding amendments and these remarks, Applicants respectfully traverse these rejections and objections, and request reconsideration of the claims in light of these remarks. Each of the outstanding rejections are addressed in the order in which they appear in the Office Action. Upon entry of this paper, claims 1-37 continue to be pending in this application.

Applicants respectfully submit that no new matter has been added by this amendment.

Rejection of Claims under 35 U.S.C. § 112 ¶ 2

Claims 12-18 were rejected under 35 U.S.C. § 112 ¶ 2, as being indefinite because the term "sufficient" was considered to be a relative term that rendered the claim indefinite. Claim 12 has been amended to remove the term "sufficient", thereby clarifying the subject matter of the claim, and obviating the rejection.

Additionally, claim 17 has been corrected to depend from claim 12, as was noted in the Office Action.

Claims 13-18 were rejected because they depend from claim 12. Since the indefiniteness that necessitated the rejection of claim 12 has been corrected, the rejection of claims 13-18 on this basis should be withdrawn.

Applicants respectfully submit that these amendments fully address and eliminate the bases of the rejections under 35 U.S.C. § 112 ¶ 2. Applicants respectfully request reconsideration and withdrawal of the rejections.

Rejection of Claims under 35 U.S.C. § 102

Claims 1 and 12 were rejected under 35 U.S.C. § 102(a) as being anticipated by Kraft. Applicants respectfully submit that the claims at issue are not anticipated, because Kraft fails to teach each and every element set forth in the pending claims.

As amended, claim 1 recites that the endnote section includes "information for linking portions of text contained in the text section to predetermined link information, without altering the text section." This is supported in the specification, for example, in the Detailed Description of the Preferred Embodiments, on page 6.

Kraft, which is directed to a way of rendering hyperlink information in a printable medium, does not teach or suggest use of an independent endnote section including information for linking portions of text contained in a text section to predetermined link information, without altering the text section. In fact, Kraft shows that the printed form of a document (as shown in Fig. 7, which is cited in the Office Action) includes numerous alterations to the "text section" (i.e., the portion of the printed document above the broken line in the printout, per the Office action), in the form of reference numbers, such as the "[1]" following string text 134 (see Kraft, Fig. 7 and col. 7, l. 59-63). These reference numbers alter the contents of the "text section" of the document, violating one of the objects of the present invention (see, e.g., the Summary of the Invention, on pages 3 and 4), and teaching away from the limitations of claim 1, as amended.

Claim 12, as amended, recites "attaching the endnote to the report after the text, without altering the text." Since, as discussed above, the printed document shown in Fig. 7 of Kraft, as cited in the Office Action, includes reference numbers that alter the text, this limitation is not met.

Since Kraft does not disclose each of the limitations of claims 1 and 12, claims 1 and 12 are not anticipated by Kraft. Therefore, Applicants respectfully request reconsideration and the withdrawal of the rejection of claims 1 and 12 under 35 U.S.C. § 102(a) over Kraft.

Further, since Kraft teaches away from the invention as described in claim 1, by showing that the "text section" is altered, claims 1 and 12 are not rendered unpatentable by Kraft under 35 U.S.C. § 103(a). Since claims 2-11 depend from claim 1, and claims 13-18 depend from claim 12, they are not rendered unpatentable by Kraft for at least the same reasons.

Rejection of Claims under 35 U.S.C. § 103(a)

Claims 2, 16, and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kraft. Since claims 2 and 16 depend from claims 1 and 12, respectively, both include a limitation that the text not be altered. As discussed above, Kraft teaches away from this by showing reference numbers that alter the "text section" of the printed document shown in Fig. 7. Thus, Kraft does not render claims 2 or 16 unpatentable. Accordingly, Applicants respectfully request that the rejection of claims 2 and 16 under 35 U.S.C. § 103(a) be withdrawn.

With respect to claim 19, the Office Action states that "Kraft does not disclose retrieving link information at an address in accordance with information included in the endnote and displaying said retrieved link information." However, the Office Action cites a graphical interface discussed in Kraft at col. 6, lines 24-67, and states that inclusion of this limitation would have been obvious to one of ordinary skill in the art based on the ability of a user to "select the link information in accordance with the information included in the endnote for displaying instead of selecting other data for displaying from the menu."

Applicants respectfully submit that this rejection is based on a misunderstanding of the teachings of Kraft. The user interface that is discussed in the cited portion of Kraft appears to be used to select whether a document is to be viewed or printed. The endnotes shown in Fig. 7 of Kraft appear in a hardcopy printout of the document (see Kraft, col. 7, l 50-63), which is generated when a user chooses to print the document. Once the document has been printed, Kraft does not teach or suggest retrieving link information at an address in accordance with information included in the endnote and displaying the retrieved link information, as is recited in claim 19, nor would it have been obvious to have modified Kraft to include these features, since the endnotes are in a hardcopy printed form.

For these reasons, Applicants respectfully submit that claim 19 is patentable over Kraft. Applicants respectfully request reconsideration and withdrawal of the rejection of claim 19 under 35 U.S.C. § 103(a).

Claims 7, 11, 15, 17-18, and 20-25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kraft as applied to claims 1, 12, and 19, and further in view of Nielsen. As was explained above, since Kraft effectively teaches away from a limitation in claims 1 and 12,

neither of these claims is rendered unpatentable by Kraft. Combination with Nielsen does not cure this deficiency.

Nielsen is directed to archiving hypertext documents by rendering the documents for storage in a noninteractive form, such as a printout. Like Kraft, Nielsen shows documents with footnote and endnote sections (e.g., Figs. 9a and 9b, as cited in the Office Action) as having reference numbers that alter the text. Thus, like Kraft, Nielsen effectively teaches away from the limitation in claims 1 and 12 that the text not be altered.

Since the combination of Kraft and Nielsen fails to teach or suggest each and every limitation of claims 1 and 12, and, in fact, teaches away from limitations in claims 1 and 12, a combination of Kraft and Nielsen would not render claims 1 and 12 unpatentable. Since claims 7 and 11 depend from claim 1, and claims 15 and 17-18 depend from claim 12, these claims are patentable over a combination of Nielsen and Kraft for at least the same reasons. Accordingly, Applicants respectfully request that the rejection of claims 7, 11, 15, and 17-18 under 35 U.S.C. § 103(a) over Kraft in view of Nielsen be withdrawn.

Nielsen also fails to cure the deficiencies of Kraft with respect to claim 19, since Nielsen does not teach or suggest retrieving link information at an address in accordance with information included in the endnote and displaying said retrieved link information, as is claimed in claim 19 of the present application. As explained above, Kraft does not render this limitation obvious. As in Kraft, the endnotes shown in Nielsen occur in a non-interactive, archival form of a hypertext document, such as a printout.

Since the combination of Kraft and Nielsen does not teach or suggest each and every limitation of the claim, claim 19 is patentable over the combination of Kraft and Nielsen. Since claims 20-25 depend from claim 19, they are all patentable over the combination of Kraft and Nielsen for at least the same reasons. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 20-25 under 35 U.S.C. § 103(a) as being unpatentable over Kraft in view of Nielsen.

Claim 26 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Campbell. The Office Action indicates that although Campbell fails to disclose the limitations of the claim, Campbell does disclose, in Fig. 10, a "workflow state portion and the protocol of said workflow

state portion," "a work state indicator and storing a workflow state in the workflow state indicator," and "performing steps in the protocol and showing that the performed step has been completed." The Office Action further states that although "Campbell [sic] does not disclose creating an endnote including the workflow state portion, Campbell [sic] discloses the workflow state portion and the workflow state indicator in a document." Thus, the Office Action concludes that "[i]t would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Campbell [sic] to incorporate an endnote of a document to include the workflow state portion and the workflow state indicator since the endnote is also a section of the document."

Applicants respectfully submit that this rejection is based on a misunderstanding of the disclosure of Campbell. Campbell is directed to wellness plan administration software, and to the user interface of such software. The cited portion of Campbell describes and shows a user interface screen for displaying and updating the status of a diagnosis protocol (Campbell, col. 17, l. 51-57). The system described in Campbell is based on a database (see, e.g., Campbell, col. 4, l. 2-19 or col. 22, l. 38-51), and stores information, such as the protocol information shown on the screen of Fig. 10, in records in a database.

Campbell does not teach or suggest creating a report based upon a protocol including creating an endnote having a workflow state portion and encoding the protocol in the workflow state portion, as is claimed in claim 26. Campbell also does not teach or suggest that the endnote includes a work state indicator, as is claimed in claim 26. Applicants can find no teaching or suggestion whatsoever in Campbell relating to reports or endnotes as described in the application or claimed in claim 26. Since Campbell uses a conventional database to store information, there is no suggestion in Campbell that protocol information be placed in an endnote of a report, nor would there be any motivation for doing so.

Since Campbell does not teach or suggest the limitations of claim 26, and there is no motivation to modify the teachings of Campbell to include these limitations, Applicants respectfully submit that claim 26 is patentable over Campbell. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claim 26 under 35 U.S.C. § 103(a).

Claims 35-37 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kraft in view of Campbell. The Office Action notes that Kraft does not disclose "a view state information directed to the view state of the ancillary information and a workflow state information portion for containing workflow state information." The Office Action states that "Campbell [sic] discloses a view state information directed to the view state of the ancillary information," citing to reference character 1008 in Fig. 10 of Campbell, and "a workflow state information portion for containing workflow state information", citing to reference character 1006 in Fig. 10 of Campbell. The Office Action states that "it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Campbell [sic] into Kraft to obtain a sufficient report with an endnote including specific information related to the data reported in the text section."

Applicants respectfully submit that there is no motivation to combine the teachings of Kraft, which is directed to rendering hyper-link information in a printable medium, with the teachings of Campbell, which is directed to wellness plan administration software. Applicants have been unable to find any suggestion in either Kraft or Campbell that would support making such a combination.

Even if there were proper motivation for the combination, the stated combination of Kraft and Campbell would not render claim 35 unpatentable, since it would fail to teach or suggest each and every limitation of the claim. In particular, the combination of Kraft and Campbell fails to teach or suggest an endnote comprising view state information. The view state information of claim 35 is "directed to the view state of the ancillary information," which is clearly different from the "information of the status of a treatment protocol," cited in the Office Action. The cited information on the status of a treatment protocol does not pertain to the view state of ancillary information, as claimed in claim 35.

Because there is no motivation to combine Kraft with Campbell, and even if there were, the combination would fail to teach or suggest the limitations of the claim, claim 35 is not rendered unpatentable by a combination of Kraft and Campbell. Since claims 36-37 depend from claim 35, they are not rendered unpatentable by a combination of Kraft and Campbell for at least

the same reasons. Accordingly, Applicants respectfully request that the rejection of claims 35-37 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Allowable Subject Matter

Claims 3-6, 8-10, 13-14, and 27-34 were objected to as being dependent upon rejected base claims. Applicants respectfully submit that, in light of the amendments and arguments provided above, the base claims from which these claims depend are now allowable. Accordingly, the Applicants respectfully request withdrawal of the objections to claims 3-6, 8-10, 13-14, and 27-34.

Art Made of Record, but not Relied Upon

Applicants have reviewed the prior art made of record but not relied upon in the Office action. Applicants believe that none of the cited art, taken alone or in combination, renders the claims of the present application unpatentable.

Drawings

Applicants include herewith five sheets of formal drawings to replace the informal drawings that were filed with the application, and to address the draftsperson's objections.

CONCLUSION

In light of the foregoing, Applicants respectfully submit that all claims are now in condition for allowance. Applicants request reconsideration of the pending claims in light of this Response and early favorable action by the Examiner.

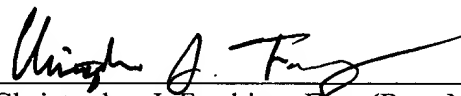
If the Examiner believes that a telephone conversation with Applicants' attorney would advance the prosecution of this application, the Examiner is invited to call the undersigned at the number identified below.

Respectfully submitted,

Date: January 31, 2002

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MARKED-UP COPY OF AMENDED CLAIMS

1. (Once amended) A format for a linked report electronically transmittable to a terminal, the report format comprising a text section, and an endnote section, the endnote section being independent of the text section and including information for linking portions of text contained in the text section to predetermined link information, without altering the text section.

12. (Once amended) A method for creating a linked report which is electronically transmittable through a terminal comprising the steps of:

- creating the text for a report;
- retrieving link information to be displayed along with the text in association with a predetermined portion of the text;
- creating an independent endnote containing information [sufficient to] linking said predetermined text portion and link information; and
- attaching the endnote to the report after the text, without altering the text.

17. (Once amended) The method of claim [11] 12, further comprising the step of providing an end of text marker after the text and attaching the endnote to the report after the end of [the] text marker.